

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|---------------------|------------|--------------------------|
| APPLICANT(s): | Juha Pihlaja | CONF. No.: | 7015 |
| SERIAL NO.: | 10/089,426 | ART UNIT: | 2619 |
| FILING DATE: | March 29, 2002 | EXAMINER: | Haliyur, Venkatesh N. |
| TITLE: | A RADIO LINK SYSTEM | | |
| ATTORNEY | | NC18547US | |
| DOCKET NO.: | 297-010894-US(PAR) | | |

MailStop Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION

Applicant respectfully petitions that a new period of response from the filing of the Notice of Appeal and Pre-Appeal Brief Request for Review on November 26, 2007 be set because Applicant did not receive a copy of the Notice of Panel Decision mailed February 25, 2007.

The Notice of Appeal and Pre-Appeal Brief Request for Review were filed with the USPTO on November 26, 2007.

On July 28, 2008, the Examiner contacted the undersigned to inquire as to the status of the application. The Examiner stated that a Notice of Panel Decision was allegedly mailed on February 25, 2008. A copy was faxed by the Examiner and is attached hereto as Exhibit D. However, the undersigned has carefully examined the records and files related to this application and submits that the Notice of Panel Decision was not received by the offices of Perman & Green, LLP. in a timely fashion or prior to the expiration of the statutory response period.

The following is offered as evidence:

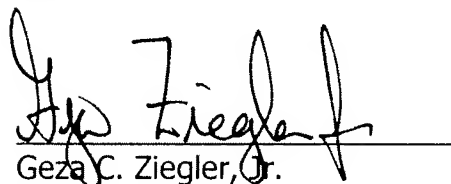
1. A declaration from the docketing clerk for Perman & Green, LLP that there is no record of receipt of the Notice of Panel Decision. (Exhibit A)
2. A copy of Applicant's Attorneys Incoming "Daily Mail Log" for the period of February 25, 2008 to May 26, 2008. (Exhibit B).
3. A printout entitled "Actions Due" from the Applicant's attorneys electronic docketing system for this application. (Exhibit C)
4. A copy of the fax from the Examiner of August 5, 2008 with a copy of the Decision.

A careful review of the application file, mail log and electronic docketing system indicates that the Notice of Panel Decision was not received in the offices of Perman & Green, LLP.

In view of the foregoing, it is respectfully submitted that the Notice of Panel Decision was not received. It is requested that the application be reinstated and a new period for reply be set.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Geza C. Ziegler, Jr.
Reg. No. 44,004
Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

6 August 2008
Date

US 10/089,426
Petition
August 6, 2008

Exhibit A
To Petition
U.S. Ser. No. 10/089,426
Declaration of Daniel Romano

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|---------------------|------------|--------------------------|
| APPLICANT(s): | Juha Pihlaja | CONF. No.: | 7015 |
| SERIAL NO.: | 10/089,426 | ART UNIT: | 2619 |
| FILING DATE: | March 29, 2002 | EXAMINER: | Haliyur, Venkatesh N. |
| TITLE: | A RADIO LINK SYSTEM | | |
| ATTORNEY | | NC18547US | |
| DOCKET NO.: | 297-010894-US(PAR) | | |

MailStop Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450


DECLARATION OF DANIEL ROMANO IN SUPPORT OF PETITION

I, Daniel Romano, am the Administrator for Perman & Green, LLP. During the time periods when the Notice of Panel Decision dated February 25, 2008 should have been received by Perman & Green, I was responsible for the administration of the incoming mail processing, and docketing functions for all incoming USPTO correspondence, to Perman & Green, LLP.

The USPTO incoming mail process involves the incoming USPTO mail being directly delivered to the docketing clerk. As each mail item is received, the mail item is date stamped. The mail item is then reviewed, and the details are manually entered into the Daily Mail Log (see Exhibit B attached to the Petition). The mail item data is also entered into our electronic docketing system (see Exhibit C attached to the Petition). Thus, the details for all incoming mail from the USPTO are logged in two systems.

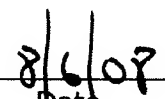
I have carefully reviewed each of the Daily Mail Log and our electronic docketing system and cannot find any record of the referred Notice of Panel Decision dated February 25, 2008. A copy of the mail log for the period February 26, 2008 to May 26, 2008, the period during which the Notice of Panel Decision dated February 25, 2008 should have been received is attached hereto as Exhibit B. A copy of the "Actions Due" log from our electronic docket system is attached hereto as Exhibit C. Had the Notice of Panel Decision dated February 25, 2008 been received and docketed, it would appear on the log and the electronic docket. It does not. Since receipt of the Notice of Panel Decision dated February 25, 2008 is neither recorded in the Daily Mail Log nor in the electronic docketing system it is respectfully submitted that the Notice of Panel Decision dated February 25, 2008 was not received in our Office.

The undersigned certifies that all statements made herein are true, that all statements made herein on information and belief are believed to be true, and that all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes or uses any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties set forth in 18 U.S.C. §1001.



Daniel Romano

LEGAL ADMINISTRATOR



Date

US 10/089,426
Petition
August 6, 2008

Exhibit B
To Petition
U.S. Ser. No. 10/089,426
Copy of Daily Mail Log
2/25/2008 to 5/26/2008

DATE: Wed. Feb 20, 2008

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|---------------------|-------------|--------------------|-----------------|
| G-A | 1075-013119-US(PAR) | 2-11-08 | Inc. Non-Pro Appl. | 4-11-08 |
| GCZ | 1064-013170-US(PAR) | 2-12-08 | Missing Part | 4-12-08 |
| GCZ | 1104-013219-US(PAR) | 2-15-08 | " " | 4-15-08 |
| GCZ | 324-010512-US(PAR) | 2-8-08 | Iss/Publ Fees | 5-8-08 |
| JVG | 460-010107-US(PAR) | 2-13-08 | " " | 5-13-08 |
| G-A | 893-012303-US(PAR) | 2-12-08 | " " | 5-12-08 |
| DMW | 297-07977-US(COI) | 2-11-08 | " " | 5-11-08 |
| RDG | 528-011403-US(PAR) | 2-11-08 | " " | 5-11-08 |
| RDG | 985-012443-US(PAR) | 2-11-08 | " " | 5-11-08 |
| RDG | 617-009973-US(PAR) | 2-11-08 | US-3MGNTH | 5-11-08 |
| JVG | 770-011699-US(PAR) | 2-11-08 | " " | 5-11-08 |
| G-A | 1094-012903-US(PAR) | 2-11-08 | " " | 5-11-08 |
| G-A | 939-012304-US(PAR) | 2-15-08 | " " | 5-15-08 |
| GCZ | 324-010943-US(PAR) | 2-11-08 | Advisory Action | 4-18-08 DD |
| JVG | 690-011194-US(PAR) | 2-15-08 | " " | 5-26-08 DD |
| RDG | 309-010606-US(COI) | 2-19-08 | " " | 5-19-08 DD |

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DATE: 2-20-08 (cont)

DAILY MAIL LOG

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DATE:

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DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|--------|---------------------|----------------------------|-------------|-----------------|
| RDG | 941-01558 (CA) | 5/21/08 2/21/08 | 3M | 5/21/08 |
| JUG | 785-01004-US(POD) | " | US-Restrict | 3/21/08 |
| RDG | 6m-011053-US(POD) | 2/21/08 | FINAL-US 3M | 5/21/08 |
| G/A | 893-02560-US(POD) | " | 3M | " |
| B/C | 1032P012518-US(POD) | " | " | " |
| DMW | 200-007752-US(POD) | " | " | " |
| G/A | 893-012238-US(102) | " | " | " |
| " | 684-02532-US(POD) | " | " | " |
| JM/B/C | 352-02376-US(POD) | " | " | " |
| " | 340P010777-US(POD) | " | " | " |
| JUG | 684-011404-US(POD) | 1/7 | " | " |
| HIS | 836-008068-US(POD) | 2/2/08 2/2/08 | " | 5/22/08 |
| G/CZ | 442-012022-US(POD) | 2/22/08 | " | 5/22/08 |
| G-A | 881-011758-US(POD) | " | " | " |
| G/CZ | 835-01954-US(POD) | 2/19/08 2/19/08 | " | 5/19/08 |
| G/CZ | 835-02011-US(POD) | 2/19/08 | Final 3M | 5/20/08 |
| | | | 3M | 5/19/08 |

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DATE: 2/27

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DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|---------------------|-------------|----------------------|-----------------|
| GCZ | 835-012225-US(PAR) | 3/6 | 3M | 6/6 |
| DMW | 207-006914-US(COI) | " | Final 3M | " |
| GCZ | 684-012077-US(PAR) | " | 3M | " |
| GCZ | 836-010085-US(COI) | " | " | " |
| JUG | 1085-012076-US(PAR) | 3/7/68 | File Cgt App. Papers | " |
| GCZ | 440-02243-US(PAR) | " | 3M | 6/7/68 |
| RDG | 309-012118-US(PAR) | 3/6 | Adv. Action | 6/6 |
| GCZ | 843-03280-US(PAR) | " | Missing Pats | 5/6 |
| G.A | 844-01052-US(PAR) | 3/5 | Regtr. | 4/5 |
| SM | 886-01146-US(PAR) | " | Publissure | 6/5 |
| JUG | 1048-02604-US(COI) | 3/5 | Missing Pats | 5/5 |
| JUG | 617-000922-US(COI) | " | 3M | 6/5 |
| G.A | 684-012143-US(PAR) | 3/5 | 3M | 6/5 |
| PDG | 617-01873-US(PAR) | " | " | " |
| G.A | 684-012157-US(PAR) | 3/5 | 3M | 6/5 |
| G.A | 684-012530-US(PAR) | " | 3M | " |

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PERMAN & GREEN, LLP

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DATE: 3/21/08

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| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|----------------------|-------------|------------------|-----------------|
| JM | 690-0108-US (P&G) | 3/18 | 3M | 6/18 |
| HIS | 460-00361-US (P&G) | " | " | " |
| JM | 346R01037-US (P&G) | " | 3/1 | " |
| BIC | 893-01283A-US (P&G) | 3/17 | Final 3 | 6/17 |
| GA | 860-01548-US (P&G) | " | 3M OA | " |
| JUG | 638P01450-US (101) | " | 3M OA | " |
| JUG | 418P01554-US (P&G) | 3/18 | Final 3 | 6/18 |
| RDG | 297-005843-US (G02) | 3/17 | OA | 6/17 |
| GA | 324-012028-US (P&G) | " | " | " |
| RDG | 684-012362-US (P&G) | 3/18 | Final 3 | 6/18 |
| BIC | 893-012249-US (P&G) | 3/19 | Final 3 | 6/19 |
| GCL | 843-011876-US (P&G) | 3/17 | 3M OA | 6/17 |
| JM | 396-009059-US (P&G) | 3/19 | Final 3 | 6/19 |
| BIC | 213P01709-US (P&G) | 3/18 | Vol. Summary | 4/18 |
| GA | 684-012007-US (P&G) | 3/17 | Advisory Act | 4/18 |
| G-A | 785-012073-US (P&G) | 3/17 | Restriction | 4/18 |
| SUG | 1013-013125-US (P&G) | 3/17 | Missing funds | 5/17 |
| SUG | 1013-013125-US (P&G) | 3/17 | " | 5/17 |
| GA | 843-012277-US (P&G) | " | 3M GA | 6/17 |
| GCL | 944-0373-US (P&G) | 3/19 | Incomplete Reply | 5/19 |
| RGA | 412-010577-US (P&G) | 3/19 | Advisory | 5/19 |

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| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|----------------------|-------------|---------------------|--------------------|
| G-A | 1103-013286-US (PAR) | 3/26 | Missing PRTS | 5-26-08 |
| G-A | 584-011327-US (PAR) | 3/27 | Adj. Motion | 2/6/08 5/6/08 DD |
| G-A | 1064-013034 | 3/28 | Miss REQ | 5-28-08 |
| G-A | 785-012648-US (PAR) | 3/27 | Miss PRTS | 5-27-08 |
| G-A | 893-012203-US (PAR) | 3/25 | 3 mon OA | 6/25/08 |
| JH | 390-012040-US (PAR) | 3/26 | FINAL OA | 6/26/08 |
| BK | 684-011708-US (PAR) | 3/26 | FINAL OA | 6/26/08 |
| G-A | 1064-013099-US (PAR) | 3/26 | NTC OF ALLOD. | 6/26/08 |
| JVG | 612-010032-US (PAR) | 3/25 | DEC ON APPEAL | 6/26/08 |
| RDB | 684-012026-US (PAR) | 3/26 | ADV ACT | 4/17/08 7/17/08 DD |
| G-A | 941-012259-US (PAR) | 3/26 | 3 mon OA | 6/26/08 |
| G-A | 893-011349-US (PAR) | 3/28 | 3 mon OA | 6/28/08 |
| G-A | 442-011901-US (PAR) | 3/26 | 3 mon OA | 6/26/08 |
| JH | 390P 010545-US (PAR) | 3/26 | 3 mon OA & DEWGS | 6/26/08 |
| G-A | 684-012261-US (PAR) | 3/28 | 3 mon OA | 6/28/08 |
| G-A | 1075-013286-US (PAR) | 3/27 | MISS PRTS | 5/27/08 |

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DATE: Fri Apr 4, 08

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DATE: April 10, 2008

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| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|---------------------|-------------|--------------------|-----------------|
| JM | 257-011351-US (PAR) | 4/7/08 | 5/7/08 | |
| JM | 257-011463-US (PAR) | 4/7/08 | 7/7/08 | |
| JM | 390-011458-US (PAR) | 4/4/08 | 5/4/08 | |
| GCZ | 460-010723-US (PAR) | 4/8/08 | 2/28/08 5/28/08 DD | |
| JV6 | 860-012641-US (PAR) | 3/20/08 | 6/20/08 | |
| JV6 | 860-011828-US (PAR) | 3/21/08 | 6/21/08 | |
| RDG | 460-009934-US (PAR) | 4/8/08 | 7/8/08 | |
| Dmw | 891-012171-US (PAR) | 4/8/08 | 7/8/08 | |
| GCZ | 684-012362-US (PAR) | 4/8/08 | 7/8/08 | |
| GCZ | 684-011909-US (PAR) | 4/8/08 | 7/8/08 | |
| HIS | 297-008493-US (PAR) | 4/8/08 | 7/8/08 | |
| BK | 684-012656-US (PAR) | 4/8/08 | 7/8/08 | |
| GCZ | 785-012452-US (PAR) | 4/8/08 | 7/8/08 | |
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DATE: April 14, 2008

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|--------------------|-------------|--------------------|-----------------|
| JM | 352D013359-US(DOI) | 4/11/08 | 1 mo. OA | 5/11/08 |
| GCZ | 413-010969-US(PAR) | 4/9/08 | advising action | 4/24/08 |
| DMW | 528-011213-US(PAR) | 4/9/08 | " " | 5/14/08 DD |
| GCZ | 858P012244-US(PAR) | 4/9/08 | " " | 4/22/08 DD |
| JVLS | 893-012248-US(PAR) | 4/11/08 | Final 3 mo. OA | 7/11/08 |
| GCZ | 684-012122-US(PAR) | 4/11/08 | New Final 3 mo. OA | 7/11/08 |
| JM | 257-011631-US(PAR) | 4/9/08 | " " | 7/9/08 |
| JM | 390P012196-US(PAR) | 4/10/08 | " " | 7/10/08 |
| GCZ | 324-010115-US(PAR) | 4/9/08 | " " | 7/9/08 |
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22-July-08

DATE: 4/15/08

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DATE: April 16, 2008

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DATE: April 17, 2008

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DATE: Fri - 4-18-08

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|---------------------|-------------|------------------------------|--------------------|
| GCZ | 941-G11924-US(PAR) | 4-15-08 | Advisory Action | 4-10-08/7-10-08 DD |
| JVG | 860-013416-US(PAR) | 4-2-08 | Restriction Regu. | 5-2-08 |
| JVG | 1091-013067-US(PAR) | 4-7-08 | Advisory Action | 4-17-08/7-17-08 DD |
| JM | 352AD013264-US(PAR) | 4-7-08 | Notice of Allowance/Fees Due | 7-7-08 |
| GCZ | 684-011814-US(PAR) | 4-15-08 | 3 mo. OA | 7-15-08 |
| GCZ | 873-011675-US(BOI) | 4-16-08 | 3 mo. OA | 7-16-08 |
| GCZ | 460-007777-U | 4-15-08 | Examiners Answer | 6-15-08 |
| SM | 785-011004-US(PAR) | 4-15-08 | 3 mo. OA | 7-15-08 |
| GCZ | 460-008876-U | 4-18-08 | 3 mo. OA | 7-14-08 |
| JM | 879P011769-US(PAR) | 4-16-08 | 3 mo. OA | 7-16-08 |
| GCZ | 684-012069-US(PAR) | 4-16-08 | 3 mo. OA | 7-16-08 |
| GCZ | 324-010477-US(PAR) | 4-15-08 | 3 mo. OA | 7-15-08 |
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DATE: Mon 4-21-08

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|---------------------|-------------|-------------------------|--------------------|
| G CZ | 324-011952-US(PAR) | 4-17-08 | 3 mo. OA | 7-17-08 |
| HIS | 704-011496-US(PAR) | 4-18-08 | 3 mo. OA | 7-18-08 |
| G CZ | 684-012528-US(PAR) | 4-17-08 | 3 mo. OA | 7-17-08 |
| RDG | 639PO12182 | 4-17-08 | Restriction Reg. | 5-17-08 |
| G CZ | 684PO11830-US(PAR) | 4-17-08 | 3 mo. OA | 7-17-08 |
| G-A | 684-012529-US(PAR) | 4-17-08 | 3 mo. OA | 7-17-08 |
| BHW | 442-010981-US(PAR) | 4-21-08 | 3 mo. Final OA | 7-21-08 |
| G CZ | 1103-013199-US(PAR) | 4-18-08 | Missing Reg. | 6-18-08 |
| G CZ | 442-010673-US(PAR) | 4-16-08 | Notice of Allow. & Fees | 7-16-08 |
| JVG | 617-010032-US(PAR) | 4-17-08 | Notice of Allow. & Fees | 7-17-08 |
| RDG | 893-012562-US(PAR) | 4-17-08 | Notice of Allow. & Fees | 7-17-08 |
| RDG | 684-011953-US(PAR) | 4-15-08 | Advisory Action | 5-21-08/8-21-08 DD |
| GZ | 1102-012968-US(PAR) | 4-16-08 | Missing Reg. | 6-16-08 |
| JVG | 410-010108-US(PAR) | 4-17-08 | Interview Summary | 5-17-09 |
| BK | 893-011855-US(PAR) | 4-18-08 | Final OA | 7-18-08 |
| JVG | 684-02374-US(PAR) | 4-17-08 | Final OA | 7-17-08 |

DATE: Mon 4-21-08

DAILY MAIL LOG

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DATE Tues 4-22-08

DAILY MAIL LOG

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DATE: Weds 4/23/08

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DATE: Thurs. 4/24/08

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DATE: Mon 4/28/08

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DATE: 5/7/08 Weds.

DAILY MAIL LOG

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DATE: 5/8/08 Thurs

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DATE: Fri 5/9/08

DAILY MAIL LOG

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DATE: Mon 5/12/08

DAILY MAIL LOG

[illegible]

DATE: Weds 5/14/08

DAILY MAIL LOG

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DATE: Thurs 5/5/08

DAILY MAIL LOG

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DATE: Fri 5/14/28

DAILY MAIL LOG

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DATE: Mon 5/19/08

DAILY MAIL LOG

| ATTY. | P&G D | CKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION UE |
|-------|-------|----------------|-------------|---------------------|----------------|
| G A | 1063- | 013090- (PA) R | 5-5-08 | Non-Compl or Amend. | 6-15-08 |
| BK | 103- | 013149 (PA) R | 5-15-08 | M's g Reg. | 7-15-08 |
| RDC | 893- | 01120 (IOB) | 5-1-08 | Allow w/ Pub. Fee | 8-14-08 |
| JV7 | 324 | 0083--SS(01) | 5-16-08 | 3 mon O.A. | 8-16-08 |
| JTC | 24 | 0105(PAR) | 5-08 | 3 mon O.A. | 8-16-08 |
| MM | 350 | 01082) | 5-14-08 | Final O.A. | 8-14-08 |
| GZ | 0-9 | 011284 S(PA) R | 5-08 | F g O.A. | 8-1-08 |
| BK | 41 | 01176 SS(PA) R | 5-15-08 | Allow w/ Publ fee | -15-08 |
| Gc2 | 78 | 0117- (PA) R | 5-1-08 | Allow w/ Publ fee | 8-15-08 |
| G | 400 | 013 P- (PA) R | 5-1-08 | 3 m.g. O.A. | 8-6-08 |
| C2 | 0 | 012 SS(PA) R | -6-08 | | -1-0 |
| | | 012 (DO) | 6- | | -6 |
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DATE: Feb 5/23/08

DAILY MAIL LOG

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DATE: Tues 5/27/08

DAILY MAIL LOG

| ATTY. | P&G DOCKET NUMBER | DATE MAILED | ACTION DUE | DATE ACTION DUE |
|-------|---------------------|-------------|--------------------------|-----------------|
| G-A | 1075-013408-US(PAR) | 5-22-08 | msg Pt. | 7-22-08 |
| G-A | 1111-013432-US(PAR) | 5-22-08 | msg Pt. | 7-22-08 |
| JM | 390P010855-US(PAR) | " | " | " |
| Gcz | 1103-013168-US(PAR) | " | Missing Requirements | " |
| " | 1094-013147-US(PAR) | " | " | " |
| " | 1094-013203-US(PAR) | 5-23-08 | " | 7-23-08 |
| " | 684-012255-US(PAR) | 5-22-08 | Non-Comp. Amend. | 7-22-08 |
| DMW | 528-011212-US(PAR) | " | Final O.A. | 8-22-08 |
| G-A | 849-011051-US(PAR) | 5-23-08 | 3 mo. O.A. | 8-23-08 |
| " | 1075-013403-US(PAR) | " | Msg Pt. | 7-23-08 |
| " | 893P012886-US(PAR) | " | " | " |
| DMW | 684-011865-US(PAR) | 5-22-08 | 3 mo. O.A. | 8-22-08 |
| RDG | 442-010289-US(PAR) | " | Not. of Allow. & Pub Fee | " |
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US 10/089,426
Petition
August 6, 2008

Exhibit C
To Petition
U.S. Ser. No. 10/089,426
Electronic Docket Actions Due Printout

Country Application

Wednesday, August 06, 2008

Case Number: 442-010894 **Country:** US **SubCase:** PAR
Client: NMP/FINLAND,ESPOO (FI PRIOR) United States of America
Case Type: ORD **Application Status:** Pending **Area(s):**
Application Number: 10/089,426 **Filing Date:** 29-Mar-2002 WO
Patent Number: **Issue Date:**
Publication Number: **Publication Date:**
Priority Number: 19992125 **Priority Date:** 01-Oct-1999
Tax Schedule: LE **Expiration Date:**
Tax Start Date:
Agent:
Agent Reference No.:

File Establishment Date: 13-Mar-2002 **Storage Company:**
File Location: P&G **Box Number:**

List Of Actions

| Action(s) Due | Due Date | | Action Taken |
|--------------------------------|-------------|----------|--------------|
| FILE BY | 01-Apr-2002 | Final | 29-Mar-2002 |
| Information Disclosure Stmt | 29-Jun-2002 | Due Date | 02-Jul-2002 |
| Foreign Filing Reminder | 29-Sep-2002 | Due Date | |
| POST CARD RECEIVED | 29-Sep-2002 | Due Date | 17-Apr-2002 |
| Information Dis Follow Up Date | 02-Jan-2003 | Due Date | 21-Jul-2002 |
| Foreign Filing Due | 29-Mar-2003 | Final | |
| Application Status Check | 29-Sep-2003 | Due Date | |
| Request for Examination | 29-Mar-2005 | Due Date | |
| 3 MON RESPONSE | 14-Dec-2006 | Due Date | 11-Dec-2006 |
| 1 MON EXTENSION | 14-Jan-2007 | Due Date | 11-Dec-2006 |
| 2 MON EXTENSION | 14-Feb-2007 | Due Date | 11-Dec-2006 |
| 6 MON FINAL | 14-Mar-2007 | Final | 11-Dec-2006 |
| 3 MON RESPONSE | 08-Jun-2007 | Due Date | |
| US-3MON. ACTION Follow Up Date | 11-Jun-2007 | Due Date | 11-Dec-2006 |
| 1 MON EXTENSION | 08-Jul-2007 | Due Date | |
| 2 MON EXTENSION | 08-Aug-2007 | Due Date | |
| 6 MON FINAL | 08-Sep-2007 | Final | |
| FINAL 3 MON | 23-Nov-2007 | Due Date | |

Country Application

Wednesday, August 06, 2008

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|-----------------|-------------|----------|
| FINAL 1 MON EXT | 23-Dec-2007 | Reminder |
| APPEAL BRIEFDUE | 21-Jan-2008 | Due Date |
| FINAL 2 MON EXT | 23-Jan-2008 | Reminder |
| 1MON EXTENSION | 21-Feb-2008 | Reminder |
| FINAL 6 MON | 23-Feb-2008 | Final |
| 2MON EXTENSION | 21-Mar-2008 | Reminder |
| 3MON EXTENSION | 21-Apr-2008 | Reminder |
| FINAL DEADLINE | 21-May-2008 | Final |

User ID: CONRAD

Date Created: 13-Mar-2002

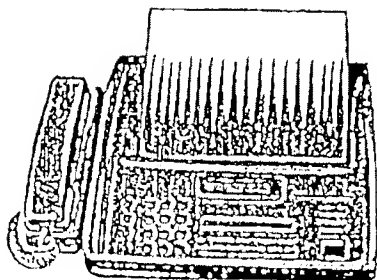
Last Update: 17-Apr-2002

US 10/089,426
Petition
August 6, 2008

Exhibit D
To Petition
U.S. Ser. No. 10/089,426
Fax from Examiner Haliyur of 8/5/2008



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(COMPANY OR FIRM)
202-255-5170
(FAX NO.)

FROM: Examiner Halper
(NAME)
571-272-8616
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NUMBER OF PAGES 3 (including this page)

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/089,426 | 03/29/2002 | Juha Pihlaja | 297-010894-US (PAR) | 7015 |

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| 2512 | 7590 | 02/25/2008 |
| PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824 | | |

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|----------------------|--|
| EXAMINER | |
| HALIYUR, VENKATESH N | |

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 2619 | |

| | |
|------------|---------------|
| MAIL DATE | DELIVERY MODE |
| 02/25/2008 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.


The time period for reply, if any, is set in the attached communication.

ATTN: GEZA C ZEIGLER
PERMAN & GREEN

Copy of the office action mailed
on 02/25/2008.

Thanks

Examiner Haliyur

| | | | |
|--|---|---|--|
| Application Number  | Application/Control No. 10/089,426 Vankatesh Haliyur | Applicant(s)/Patent under Reexamination PIHLAJA, JUHA Art Unit 2619 | |
| Document Code - AP.PRE.DEC | | | |

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 11/26/07.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-17.

Claim(s) withdrawn from consideration: _____

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) Edan Orgad

(2) Vankatesh Haliyur

(3) _____

(4) _____